

MINTZ LEVIN
COHN FERRIS
GLOVSKY AND
POPEO PC

Boston
New York
Reston
Washington
New Haven
Los Angeles
London

One Financial Center
Boston, Massachusetts 02111
617 542 6000
617 542 2241 fax
www.mintz.com

Joseph P. Messina

Direct dial 617 348 1631
jmessina@mintz.com

September 1, 2005

By Fax

Michael D. Powell, Esq.
Weil, Gotshal & Manges, LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

Re: Oracle Corporation v. Mangosoft, Inc., et al.
U.S.D.C. for the N.D. California Civil Action No. 03-02267-VRW

Dear Mr. Powell:

Prior to last evening at 8:00 p.m. e.s.t., I had not heard whether you had intended to proceed with Mangosoft's continuing Rule 30(b)(6) deposition on September 8, 2005, as I had proposed in my letter to you July 27, 2005. In any event, Mangosoft's designee on those topics is no longer available to be deposed on that date. I will endeavor to provide you with alternative dates next week.

With regard to your letter of August 25, 2005, as you are well aware, we represent Msrs. Phillips, Davis, Dietterich and Porter. We also represent Msrs. Parsons and Woodbury. I will attempt to contact Randy Shain, Jim Plummer, Kevin Mendel and Jerry Plouffe to determine whether we will be representing them.

Thank you.

Sincerely,



Joseph P. Messina

cc: Thomas W. Lathram, Esq.